

**SB0065**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**SB0065**

Introduced 1/15/2015, by Sen. Ira I. Silverstein

**SYNOPSIS AS INTRODUCED:**

New Act

Creates the Reasonable Use of Force Act. Defines "chokehold," "peace officer," and "private security contractor." Provides that peace officers shall use an amount of force reasonably necessary based on the totality of the circumstances to perform a lawful task, effect an arrest, overcome resistance, control a subject, or protect themselves or others from injury. Prohibits reducing a person's ability to breathe due to chest compression, positing a person in any manner that restricts free breathing, or placing a person on his or her stomach unless necessary to overcome resistance and obtain control of a person or to protect themselves or others from injury. Prohibits the use of chokeholds by peace officers and private security contractors unless deadly force is justified under the Criminal Code of 2012. Provides that peace officers shall monitor an arrestee and seek medical attention for an arrestee after they have obtained control of a person and the person has been arrested. Effective immediately.

LRB099 03855 AWJ 23869 b

**A BILL FOR**

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Reasonable Use of Force Act.

6 Section 5. Definitions. As used in this Act:

7 "Chokehold" includes, but is not limited to, any pressure  
8 to a person's throat or windpipe which may prevent or hinder  
9 breathing or reduce the intake of air.

10 "Peace officer" has the meaning as indicated in Section  
11 2-13 of the Criminal Code of 2012.

12 "Private security contractor" has the meaning as indicated  
13 in Section 5-10 of the Private Detective, Private Alarm,  
14 Private Security, Fingerprint Vendor, and Locksmith Act of  
15 2004.

16 Section 10. Reasonable force; certain force prohibited;  
17 monitoring and medical attention.

18 (a) Peace officers shall use an amount of force reasonably  
19 necessary based on the totality of the circumstances to perform  
20 a lawful task, effect an arrest, overcome resistance, control a  
21 subject, or protect themselves or others from injury. Peace  
22 officers shall refer to the Illinois Law Enforcement Training

1 and Standards Board's Evaluation of Guidelines for Use of Force  
2 Training and Article 7 of the Criminal Code of 2012 for  
3 guidance on the appropriate amount of force to be used to  
4 effect a lawful purpose.

5 (b) Peace officers shall not do any of the following unless  
6 necessary to overcome resistance and obtain control of a person  
7 or to protect themselves or others from injury:

8 (1) reduce a person's ability to breath by compressing  
9 their chest through sitting, kneeling, or standing on a  
10 person's chest;

11 (2) position a person in any manner that restricts free  
12 breathing; or

13 (3) place a person on his or her stomach.

14 (c) Peace officers and private security contractors shall  
15 not apply a chokehold in the performance of his or her duties  
16 unless faced with a situation in which the use of deadly force  
17 is justified under Article 7 of the Criminal Code of 2012.

18 (d) Peace officers shall do all of the following, but not  
19 limited to, after a peace officer has obtained control of a  
20 person pursuant to Section 7-5 of the Criminal Code of 2012 and  
21 this Act, and the person has been arrested:

22 (1) monitor an arrestee until transported to a secure  
23 location; and

24 (2) seek medical attention for an arrestee who has  
25 injuries or illnesses that the peace officer is or should  
26 be aware of.

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.